

**S/N 08/902809**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Klaus F. Schuegraf et al.	Examiner:	Ori Nadav
Serial No.:	08/902809	Group Art Unit:	2811
Filed:	July 30, 1997	Docket No.:	303.278US1
Title:	SELECTIVE SPACER TO PREVENT METAL OXIDE FORMATION DURING POLYCIDIC REOXIDATION		

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**RESPONSE UNDER 37 CFR § 1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REMARKS**

This response is accompanied by a Petition, as well as the appropriate fee, to obtain a one-month extension of the period for responding to the Office Action, thereby moving the deadline for response from 8 January 2004 to 8 February 2004.

In response to the Office Action dated 8 October 2003, the applicant respectfully requests reconsideration of the above-identified application in view of the following remarks. Claims 23-31 and 36-65 are pending, and are rejected. None of the claims have been amended.

**Telephone Interviews**

The applicant thanks Examiner Nadav for the telephone interviews granted on Wednesday, 7 January 2004, and Friday, 9 January 2004, between himself and the applicant's representative Mr. Mates (Reg. No. 35,271). The Office Action and the substance of this response were discussed.

**Rejections of Claims Under §112**

Claims 23-25, 29, 30, 38, 44-50, 54, 59-62, and 64 were rejected under 35 USC §112, first paragraph. Claims 23-25, 29, 30, 38, 44-50, 54, 59-62, and 64 were rejected under 35 USC §112, second paragraph. The applicant respectfully traverses.

Claims 23-25, 29, 30, 38, and 44 were rejected under 35 USC §112 in a rejection that was appealed to the Board of Patent Appeals and Interferences (Board) on 2 June 2000 by the applicant. The Board issued a Decision on Appeal on 26 February 2003 reversing the rejection